

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ANDRE TYSON,)	CASE NO. 07-CV-2921
)	
Plaintiff,)	
)	
v.)	MAGISTRATE JUDGE McHARGH
)	
MICHAEL J. ASTRUE,)	
Commissioner)	
of Social Security,)	
)	<u>MEMORANDUM OPINION</u>
Defendant.)	

Now pending before the Court is Defendant's Motion for Entry of Judgment (Doc. 14) filed on February 9, 2011. The instant case was filed by Plaintiff on September 25, 2007 (Doc. 1), to appeal the unfavorable decision issued by Administrative Law Judge Peter Beekman (the "ALJ"), denying Plaintiff's application for Social Security benefits. On February 26, 2008, Defendant filed a Motion to Remand the case back to the Social Security Administration for further review (Doc. 12). The Court issued a Marginal Order granting Defendant's request to remand on March 6, 2008 (Doc. 13). However, the Court did not issue a judgement entry at that time.

On remand, Administrative Law Judge Peter Beekman awarded Plaintiff benefits for a closed period of disability from November 5, 2002 through November 9, 2003 (*See* Doc. 15). The decision was issued on May 7, 2009. Defendant now moves the Court to affirm the ALJ's May 7, 2009, decision awarding benefits. Plaintiff's counsel notified the Court that it has no objection to Defendant's motion. Upon review of the ALJ's written decision, the Court finds that substantial evidence supports the ALJ's award of benefits.

For the foregoing reasons, the Court **AFFIRMS** the decision of Administrative Law Judge Peter Beekman issued May 7, 2009, and therefore, **GRANTS** Defendant's Motion for Entry of Judgment (Doc. 14).

s/ Kenneth S. McHargh
Kenneth S. McHargh
United States Magistrate Judge

Date: March 2, 2011.